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TAGS: [PGOV](#) [PHUM](#) [KDEM](#) [ASEC](#) [GV](#)  
SUBJECT: INTERIM PRESIDENT OF THE GUINEAN BAR SHARES  
INSIGHTS

REF: A. CONAKRY 0024

[1](#)B. 07 CONAKRY 1361

[1](#)1. (SBU) SUMMARY. The acting president of Guinea,s Bar Association says the former president was dismissed because he acted outside his authority. Elections for a new Bar president are reportedly scheduled for March 11. With respect to the legal system in general, contact,s insights help illustrate the fundamental issues that continue to challenge Guinea,s justice system: rampant corruption and a general disregard for human rights. END COMMENT.

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BAR PLANS TO ELECT NEW PRESIDENT  
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[1](#)2. (SBU) Poloff met with Boubacar Barry, Acting President of the Guinean Bar Association, on January 24. Earlier this month, the previous president of the Bar, Boubacar Sow, issued a controversial declaration in the midst of an executive power struggle between the president and the prime minister. Claiming to speak on behalf of the Guinean Bar, Sow effectively reinforced the president,s powers and undermined the legitimacy of the prime minister (reftel A). Shortly thereafter, the Bar dismissed him and appointed Boubacar Barry as interim president.

[1](#)3. (SBU) Mr. Barry told Poloff that the Bar had asked him to serve as interim president for a period of two months, beginning January 15, for the express purpose of organizing elections for a new president. He said that the elections will be held on March 11.

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FORMER PRESIDENT ACTED INAPPROPRIATELY  
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[1](#)4. (SBU) With respect to the dismissal of the previous president, Mr. Barry said that Mr. Sow effectively issued a political declaration rather than a legal one. According to Barry, the Bar is an independent organization and its bylaws expressly forbid it from involving itself in politics. Barry said that if Sow had made the declaration as a personal statement, there would have been no problem, but because he claimed to speak on behalf of the Bar, he violated the principles of the organization.

[1](#)5. (SBU) When asked why Mr. Sow made such a declaration, Mr. Barry sighed and said you ask me a very difficult question., After some thought, he said that the move was completely out of character for Sow and that many members were surprised. I have known him for years,, Mr. Barry

said, and it was really shocking to me that he would do such a thing., According to Mr. Barry, Sow was well respected as an objective interpreter of the law. Barry said that there were a number of rumors circulating as to why Sow may have issued the declaration, including allegations of bribes in the form of cash and/or vehicles and possibly a promised ministerial position, but that no one really knows for sure why he did what he did.

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200 LAWYERS FOR 10 MILLION CITIZENS  
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16. (SBU) In response to questions about the Bar in general, Mr. Barry told Poloff that the organization has about 200 members, but that only about 150 of them are currently practicing law, three of whom are women. He noted that most of these lawyers are in the capital with about a dozen or so living in the interior. Mr. Barry said that in reality, Guinea,s economic challenges make it difficult for the country to support more than a handful of lawyers. People need to feed their families and many of them cannot do that on a lawyer,s income,, he said. As far as case load, Mr. Barry said that about 80 percent of cases involve property law, about 10 percent business law, 2 percent civil, and the remaining 8 percent includes administrative, criminal and other types of law.

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REFUSING TO WORK  
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17. (SBU) Poloff asked about the general lawyer,s strike the Bar organized in 2007, which lasted from mid October to mid December. According to Mr. Barry, Bar members agreed to

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strike because one of their members was denied access to a client at Conakry,s main prison. Mr. Barry said that a police official not only denied access, but abused the lawyer and then detained him for several hours. Bar members reportedly decided to stop working until the Ministry of Justice agreed to prosecute the police official. Mr. Barry said that lawyers resumed work in December when a case against the police official was introduced into the Supreme Court.

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PEOPLE ARE DETAINED ALL THE TIME  
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18. (SBU) In response to a question regarding a political party member who has been reportedly detained in a gendarmerie prison since December 15 (reftel B), Mr. Barry said that he was not aware of the specifics of the case although he had heard about it. He noted that this is not really a special case, people are detained all the time...and people involved in politics are taking risks., However, Mr. Barry said that the person,s lawyer needs to inform the Bar so that the organization can exert some pressure on the legal system.

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ETHICS VERSUS BASIC NEEDS  
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19. (SBU) According to Mr. Barry, the Ministry of Justice is the weakest link in an already very weak chain. He noted that adequate training of judges is an issue as well as a basic lack of infrastructure. Turning to corruption, Mr. Barry sighed with apparent frustration, saying the whole thing is futile ) how can we teach ethics to people when they don,t have the means to feed their families?, Barry added that the prisons, which are under the administration of the Ministry of Justice, are particularly deplorable.

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COMMENT  
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¶10. (SBU) Mr. Barry,s attitude seemed to be one of resigned frustration. He was clearly disturbed by former Bar President Boubacar Sow,s declaration as he seemed to hold the man in high regard, which may partially explain his overall attitude. However, Mr. Barry,s insights help illustrate the daily challenges posed by rampant corruption and a general disregard for human rights, and sometimes even for the law itself ) challenges that continue to undermine effective administration of justice in Guinea. END COMMENT.  
CARTER